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**DIAMOND MCCARTHY LLP**

909 Fannin, Suite 1500  
Houston, Texas 77010  
Telephone (713) 333-5100  
Facsimile (713) 333-5199

Allan B. Diamond, TX State Bar No. 05801800  
Email: [adiamond@diamondmccarthy.com](mailto:adiamond@diamondmccarthy.com)  
Eric D. Madden, TX State Bar No. 24013079  
Email: [emadden@diamondmccarthy.com](mailto:emadden@diamondmccarthy.com)

## Special Litigation Counsel for USACM Liquidating Trust

LEWIS AND ROCA LLP

3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Telephone (702) 949-8320  
Facsimile (702) 949-8321

Susan M. Freeman, AZ State Bar No. 004199  
Email: sfreeman@lrlaw.com  
Rob Charles, NV State Bar No. 006593  
Email: rcharles@lrlaw.com

## Counsel for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

## USA COMMERCIAL MORTGAGE COMPANY,

## USA CAPITAL REALTY ADVISORS, LLC,

**USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,**

**USA CAPITAL FIRST TRUST DEED  
FUND, LLC,**

## USA SECURITIES, LLC,

## Debtors.

### Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**MOTION FOR ORDER REQUIRING  
PROJECT DISBURSEMENT  
GROUP, INC. TO PRODUCE ONE  
OR MORE REPRESENTATIVES  
FOR EXAMINATION PURSUANT  
TO FEDERAL RULE OF  
BANKRUPTCY PROCEDURE 2004**

[No hearing required]

Pursuant to Federal Rule of Bankruptcy Procedure 2004, the USACM Liquidating Trust (the “Trust” or “Movant”) hereby moves this Court for an order requiring Project Disbursement Group, Inc. (“PDG”) to produce one or more representatives, as set forth in the subpoena to be issued under Federal Rule of Bankruptcy Procedure 9016, to appear for examination at the office of Lewis and Roca LLP, 3993 Howard Hughes Parkway, Suite

1 600, Las Vegas, Nevada 89169, on a business day no earlier than ten (10) business days  
2 after the filing of this Motion and no later than November 15, 2007, or at such other  
3 mutually agreeable location, date, and time, and continuing from day to day thereafter  
4 until completed.  
5

6 This Motion is further explained in the following Memorandum.

7 **Memorandum**

8 The Movant seeks information concerning various transactions between PDG and  
9 USACM, the other debtors in the above-captioned cases (together with USACM, the  
10 “Debtors”), and the Debtors’ affiliates, subsidiaries, parents, or otherwise related entities.  
11 The Movant seeks this information to assist in the collection of the assets and the  
12 investigation of the liabilities of the Debtors.  
13

14 The requested discovery from PDG is well within the scope of examination  
15 permitted under Bankruptcy Rule 2004, which includes:

16 [t]he acts, conduct, or property or . . . the liabilities and financial condition  
17 of the debtor, or . . . any matter which may affect the administration of the  
18 debtor’s estate, or to the debtor’s right to a discharge. In a . . .  
19 reorganization case under chapter 11 of the Code, . . . the examination may  
20 also relate to the operation of any business and the desirability of its  
21 continuance, the source of any money or property acquired or to be acquired  
by the debtor for purposes of consummating a plan and the consideration  
given or offered therefore, and any other matter relevant to the case or to the  
formulation of a plan.<sup>1</sup>  
22

23 **Conclusion**

24 Accordingly, the Movant requests that this Court enter the form of order submitted  
25 with this Motion.  
26

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<sup>1</sup> FED.R. BANKR. P. 2004(b).

1                   Dated: September 12, 2007.

2                   **DIAMOND MCCARTHY TAYLOR**  
3                   **FINLEY & LEE LLP**

4                   By: /s/ Eric D. Madden  
5                   Allan B. Diamond, TX 05801800 (pro hac vice)  
6                   William T. Reid, IV, TX 00788817 (pro hac vice)  
7                   Eric D. Madden, TX 24013079 (pro hac vice)  
8                   909 Fannin, Suite 1500  
9                   Houston, Texas 77010  
10                  (713) 333-5100 (telephone)  
11                  (713) 333-5199 (facsimile)

12                  *Special Litigation Counsel for USACM*  
13                  *Liquidating Trust*

14                  **LEWIS AND ROCA LLP**

15                  By: /s/ Rob Charles  
16                  Susan M. Freeman, AZ 4199 (pro hac vice)  
17                  Rob Charles, NV 6593  
18                  3993 Howard Hughes Parkway, Suite 600  
19                  Las Vegas, Nevada 89169-5996  
20                  (702) 949-8320(telephone)  
21                  (702) 949-8321(facsimile)

22                  *Counsel for USACM Liquidating Trust*